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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/642,689

08/19/2003

Yong-Sok Yang

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2721

21171

7590

03/03/2005

STAAS & HALSEY LLP

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EXAMINER

TRAN, LY T

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/642,689	YANG, YONG-SOK	
	Examiner	Art Unit	
	Ly T. TRAN	2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 10-12 is/are rejected.
- 7) ☒ Claim(s) 2-9 and 13-20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipate by Shibata et al. (USPN 6,247,783).

With respect to claim 1, Shibata discloses an ink jet printer comprising:

- A guide shaft (Column 4: line 48, Fig.1: element 44);
- A carriage supported by the guide shaft and reciprocating thereon (Fig.1: element 45, Column 4: line 49-50);
- An ink cartridge mounted in the carriage and having print head to eject ink on an ink ejecting area of a printing paper (Fig.1: element 50, 52, 54, 56, Column 5: line 3-5);
- A feeding roller to convey the printing paper to the print head (Column 4: line 19-23);
- A waste ink-collecting unit to collect waste ink that is ejected from the print head onto an area other than the printing paper (Fig.3: element 80);
- The waste ink collecting unit comprising a waste ink collecting tank (Fig.3: element 100) disposed adjacent to the print head to collect the waste ink

from the print head and a collecting roller (Fig.3: element 90) rotatable disposed at an entrance of the collecting tank, to guide the waste ink from the print head to the collecting tank

2. Claims 10-12 are rejected under 35 U.S.C. 102(b) as being anticipate by Matsumoto et al. (USPN 6,352,333).

With respect to claims 10-12, Matsumoto discloses an apparatus comprising:

- A print head (Fig.4: element 1) to eject ink toward a paper;
- A frame (Fig.4: element 3) to guide the paper, the frame forming a hole (Fig.4, Fig.13) to pass the ejected ink not received by the paper;
- Paper maintains a constant had gap with the frame (by having the frame 3, a constant gap is provided between the head and the paper;
- A waste collector (Fig.4: element 7, Column 5: line 49-54) to collect the ink which has passed through the hole.

Allowable Subject Matter

3. Claims 2-9 and 13-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2-9 are allowable over prior art of record because at least prior art have not been found to anticipate or teach that the waste ink collecting unit comprises a

paper guide frame having an opening corresponding to the ink ejecting area and the collecting roller.

Claims 13-20 are allowable over prior art of record because at least prior art have not been found to anticipate or teach the waste collector comprising a first roller to receive the ink which is passed through the hole.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Suzuki (USPN 5,291,227) discloses the paper guide frame (Fig.1: element 12).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly T. TRAN whose telephone number is 571-272-2155. The examiner can normally be reached on M-F (7:30am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

LT

Feb.28, 2005



Stephen D. Meier
Primary Examiner

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